

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MANUEL A. BENAVIDEZ,

Plaintiff,

V.

THE CITY OF IRVING, TEXAS and
HERBERT A. GEARS, THOMAS D.
SPINK, BETH VAN DUYNE, ALLAN E.
MEAGHER, LEWIS PATRICK, ROSE
CANNADAY, RICK STOPFER, SAM
SMITH, and JOE PHILIPP, in their
official capacities,

Defendants.

CIVIL ACTION NO. 3:07 CV 1850-P

DECLARATION OF RICHARD ENGSTROM, Ph.D.,

UNDER 28 U.S.C. SEC. 1746

I, Richard Engstrom, make the following declaration pursuant to 28 U.S.C. sec.

1. My name is Richard Engstrom. I am over eighteen (18) years of age and am fully competent to make this affidavit. The facts set forth herein are true and correct and, unless otherwise qualified, are within my personal knowledge.

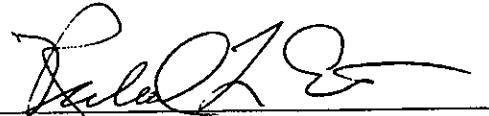
2. I am a Visiting Professor of Political Science and Visiting Research Fellow at the Center for the Study of Race, Ethnicity, and Gender in the Social Sciences at Duke University.

3. Attached hereto as Exhibit 1 is a true and correct copy of my Report in this case, attached to which is my curriculum vitae.

4. When Hispanics constitute a minority of a city's citizen voting age population, and an at-large election system is used to elect that city's council, that election system has the potential of harming the members of the Hispanic minority by diluting the impact of their voting strength and depriving them of the opportunity to elect representatives of their choice. This harm is realized when the candidate preferences of the Hispanic voters and those of the other voters are divided, i.e., voting in those at-large elections is polarized. I have observed such polarization in elections for the city council of Irving, Texas. Specifically, Hispanics constitute a politically cohesive voting group that consistently prefers Latino candidates in those elections, but other voters veto their choices.

I declare under penalty of perjury that the forgoing is true and correct.

Executed on the 22nd day of December 2008.



Richard Engstrom